IN THE CLAIMS

Please amend the claims as follows:

1-10 (Canceled).

11 (Currently Amended): An EGR cooler comprising:

tubes;

a shell enclosing said tubes;

a cooling water inlet, attached to an end of the shell, to supply cooling water into said shell;

a cooling water outlet, attached to another end of the shell, to discharge the cooling water from said shell;

a guide, attached to said shell, to guide gas into said tubes for thermal exchange of said gas with said cooling water; and

a bypass conduit, ~~flow path,~~ arranged along an axis of and on a shell inner surface of [[in]] said shell and positioned adjacent to the cooling water outlet, to guide the cooling water to a direction perpendicular to the flow of the cooling water through the inlet,

~~wherein the bypass flow path includes a~~ said bypass conduit including,

a bypass inlet formed at a position diametrically opposite to the cooling water inlet of the shell,

a bypass body extending axially of said shell through the bypass inlet, and

a bypass outlet extending via a bent portion into and positioned in the cooling water outlet.

12-23 (Canceled).

24 (Currently Amended). A system comprising:

a diesel engine; and

an EGR cooler including

tubes,

a shell enclosing said tubes,

a cooling water inlet, attached to an end of the shell, to supply cooling water into said shell,

a cooling water outlet, attached to another end of the shell, to discharge the cooling water from said shell,

a guide, attached to said shell, to guide exhaust gas being guided from the diesel engine into said tubes for thermal exchange of said exhaust gas with said cooling water, and

a bypass conduit, ~~flow path,~~ arranged along an axis of and on a ~~in said~~ shell inner surface of said shell and positioned adjacent to the cooling water outlet, to guide the cooling water to a direction perpendicular to the flow of the cooling water through the inlet, ~~wherein the bypass flow path includes a bypass conduit~~

said bypass conduit including,

a bypass inlet formed at a position diametrically opposite to the cooling water inlet of the shell,

a bypass body extending axially of said shell through the bypass inlet, and

a bypass outlet extending via a bent portion into and positioned in the cooling water outlet.